



ORDINANCE NO. 1340

AN ORDINANCE OF THE CITY OF CIBOLO, TEXAS, AMENDING CHAPTER 74 (TRAFFIC AND VEHICLES) ARTICLE IV (SPEED REGULATIONS AND SCHOOL ZONES) OF THE CODE OF ORDINANCES BY ESTABLISHING A 25 MILE PER HOUR SPEED ZONE FOR PORTIONS OF MAIN STREET AND PFEIL ROADS LOCATED WITHIN THE CITY OF CIBOLO; PROVIDING FOR A PENALTY, SEVERABILITY AND REPEALER CLAUSE, AND SETTING AN EFFECTIVE DATE.

WHEREAS, the Texas Transportation Code Section 545.352 establishes the prima facie speed limits for streets inside and outside an urban district; and

WHEREAS, the Texas Transportation Code Section 545.356 authorizes the City Council to alter the speed limits on city roadways based on the results of an engineering and traffic investigation; and

WHEREAS, the Texas Transportation Code Section 545.356 provides that absent an engineering and traffic investigation, the governing body of a municipality may declare a lower speed limit of not less than 25 miles per hour on a two-lane undivided highway, if the governing body determines that the prima facie speed limit on the highway is unreasonable or unsafe; and

WHEREAS, Main Street between Schlather Street and Loop 539 is a two-lane undivided roadway, is in an urban district, and is not an officially designated or marked highway or road of the state highway system; and

WHEREAS, Pfeil Road between Main Street and South Street is a two-lane undivided roadway, is in an urban district, and is not an officially designated or marked highway or road of the state highway system; and

WHEREAS, the City Council finds that a prima facie speed limit of 30 mph is not reasonable or safe on these sections of Main Street and Pfeil Road, and finds that establishing a speed limit of 25 mph on this section of roadway is necessary for the public safety and welfare.

NOW, THEREFORE, BE IT ORDAINED by the city council of the city of Cibolo, Texas, that section 74-124 of the Code of Ordinances as amended:

SECTION 1: Findings. The recitals are hereby found to be true and correct and are hereby incorporated as part of this Ordinance.

SECTION 2: Amendments to Chapter 74. Chapter 74 (“Traffic and Vehicles”) Article IV (“Speed Regulations and School Zones”) Section 74-124 shall be amended as set forth herein and incorporated by reference, and which shall have the full force of law as follows:

That the Cibolo Code of Ordinances Section 74-124 is hereby amended by adding subsection (a) creating a speed zone for Main Street as follows:

(a) *Main Street:* From the intersection of Schlather Street in a northerly direction to the intersection of Loop 539, a distance of approximately 0.55 Miles, the maximum speed limit is 25 miles per hour.

That the Cibolo Code of Ordinances Section 74-124 is hereby amended by adding subsection (b) creating a speed zone for Pfeil Road as follows:

(b) *Pfeil Road:* From the intersection of Main Street in a westerly direction to the intersection of South Street, a distance of approximately 0.34 miles, the maximum speed limit is 25 miles per hour.

SECTION 3. The Public Works Director and City Engineer are hereby authorized and directed to erect the appropriate signs indicating the herein enacted speed limit.


SECTION 4. Penalty. It shall be unlawful to do or perform any act prohibited in this Ordinance, and it shall be unlawful to fail to do or perform any act required in this Ordinance. Any person violating any of the provisions of this article shall be deemed guilty of a class “C” misdemeanor, which shall be punishable by a fine of not less than Fifty Dollars (\$50.00) nor more than Five Hundred Dollars (\$500.00) for each offense.

SECTION 5. Severability. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or illegal, such decision shall not affect the validity of the remaining sections of this Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, subsections, clauses, or phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared void.

SECTION 6. Conflicting Ordinances or Resolutions. All resolutions or ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance as adopted and amended herein, are hereby REPEALED to the extent of such conflict. In the event of a conflict or inconsistency between this ordinance and any other resolution, code or ordinance of the City, or parts thereof, the terms and provisions of this ordinance shall govern.


SECTION 7. Effective Date. Effective as of the date the City publishes this Ordinance in the local newspaper as required by Section 3.13 (3) of the City Charter, and herein referenced signage is erected.

PASSED AND APPROVED THIS 13 DAY OF JULY 2021.



STOSH BOYLE
Mayor


ATTEST:



PEGGY CIMICS, TRMC
City Secretary



APPROVED AS TO FORM:



RICHARD LINDNER
City Attorney